

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO

SAINT TORRANCE,
Plaintiff,
vs.

CASE NO. 1:08-cv-403

Judge _____
Magistrate Judge _____

CITIFINANCIAL MORTGAGE COMPANY, INC.;
FIFTH THIRD BANK;
ACE MORTGAGE FUNDING, LLC;
PROSPER MARKETPLACE, INC.;
CREDSTAR;
CBC INNOVIS;
KROLL FACTUAL DATA;
EXPERIAN INFORMATION SOLUTIONS, INC.; and
TRANSUNION L.L.C.;
Defendants.

TRANS UNION, LLC'S NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1331, 1441, and 1446, Defendant Trans Union, LLC (“Trans Union”) hereby removes the subject action from the Court Of Common Pleas, Hamilton County Ohio, to the United States District Court for the Southern District of Ohio, Western Division, on the following grounds:

1. Plaintiff Saint Torrance served Trans Union on or about May 19, 2008, with a Summons and Complaint filed in the Court Of Common Pleas, Hamilton County Ohio. Copies of the Summons and Complaint are attached hereto as Exhibit A and Exhibit B, respectively. Copies of all other documents filed in this matter are attached hereto as Exhibit C.

2. Plaintiff alleges Trans Union and other Defendants violated the Fair Credit Reporting Act, 15 U.S.C. § 1681, *et seq.* (the “FCRA”) by being “in violation of my credit report not being accurate and which is causing me to not obtain a loan to improvement my property and

to get back in to becoming an Investor again. [sic]" See Plaintiff's Complaint, Claim II, Fair Credit Reporting Act 2003, ¶ 33. Plaintiff's claims of inaccurate credit reporting and lost credit opportunity implicate the FCRA. Claim II of Plaintiff's Complaint titled "Fair Credit Reporting Act," expressly invokes the FCRA.

3. This Court has original jurisdiction over the subject action pursuant to 28 U.S.C. § 1331 because there is a federal question. As alleged, this suit falls within the FCRA, which thus supplies the federal question.

4. Pursuant to 28 U.S.C. § 1441, *et seq.*, this cause may be removed from the Court Of Common Pleas, Hamilton County Ohio, to the United States District Court for the Southern District of Ohio, Western Division.

5. As of the date of this Notice Of Removal, all served Defendants consent to this removal. A copy of CitiFinancial Mortgage Company, Inc.'s Consent To Removal is attached hereto as Exhibit D, a copy of Fifth Third Bank's Consent To Removal is attached hereto as Exhibit E, a copy of Ace Mortgage Funding, LLC's Consent To Removal is attached hereto as Exhibit F, a copy of Prosper Marketplace Inc.'s Consent To Removal is attached hereto as Exhibit G, a copy of Credstar's Consent To Removal is attached hereto as Exhibit H, a copy of CBC Innovis's Consent To Removal is attached hereto as Exhibit I, a copy of Kroll Factual Data's Consent To Removal is attached hereto as Exhibit J, and a copy of Experian Information Solutions, Inc.'s Consent To Removal is attached hereto as Exhibit K.

6. Notice of this removal has been filed with the Court Of Common Pleas, Hamilton County Ohio, and served upon all adverse parties.

WHEREFORE, Defendant Trans Union, LLC, by counsel, removes the subject action from the Court Of Common Pleas, Hamilton County Ohio, to the United States District Court for the Southern District of Ohio, Western Division.

Dated: June 13, 2008

Respectfully submitted,

s/ Daniel B. Miller

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*Local Counsel for Defendant Trans Union,
LLC*

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing **TRANS UNION, LLC'S NOTICE OF REMOVAL** has been filed electronically on the **13th day of June, 2008**. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's electronic filing.

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| None | |
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The undersigned further certifies that a true copy of the foregoing **TRANS UNION, LLC'S NOTICE OF REMOVAL** was served on the following parties via First Class, U.S. Mail, postage prepaid, on the **13th day of June, 2008**, properly addressed as follows:

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| <u>for Plaintiff Saint Torrance:</u> Saint Torrance 2766 W. North Bend Road, #2 Cincinnati, OH 45239 | <u>for Defendant CitiFinancial Mortgage Company, Inc.:</u> Chad D. Cooper, Esq. Benjamin K. McComas, Esq. Thompson Hine, LLP 2000 Courthouse Plaza, N.E. P.O. Box 8801 Dayton, OH 45401-8801 |
| <u>for Defendant Fifth Third Bank:</u> Harry W. Cappel, Esq. 511 Walnut Street, Suite 1900 Cincinnati, OH 45202 | <u>for Defendant Ace Mortgage Funding, LLC:</u> Clay K. Keller, Esq. Buckingham Doolittle & Burroughs, LLP 4518 Fulton Drive, NW Canton, OH 44735-5548 |
| <u>for Defendant Prosper Marketplace, Inc.:</u> Jeremy A. Klotz, Esq. Roetzel & Andress, LPA 250 E. Fifth Street, Suite 310 Cincinnati, OH 45202 | <u>for Defendant CredStar:</u> Anthony L. Osterlund, Esq. Vorys Sater Seymour & Pease LLP Suite 2000, Atrium Two 221 E. Fourth Street Cincinnati, OH 45202 |
| <u>for Defendant CBC Innovis:</u> Elizabeth M. Shaffer, Esq. Dinsmore & Shohl LLP 1900 Chemed Center 255 E. Fifth Street Cincinnati, OH 45202 | <u>for Defendant Kroll Factual Data:</u> Julie R. Pugh, Esq. Wood & Lamping LLP 600 Vine Street, Suite 2500 Cincinnati, OH 45202-2491 |
| <u>for Defendant Experian Information Solutions, Inc.:</u> Andrew G. Fiorella, Esq. | <u>for Defendant Prosper Marketplace, Inc.:</u> Ezio A. Listati, Esq. Roetzel & Andress, LPA |

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| Jones Day North Point 901 Lakeside Avenue Cleveland, OH 44114 | One Cleveland Center, 9 th Floor 1375 E. Ninth Street Cleveland, OH 44114 |
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s/ Daniel B. Miller

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*Local Counsel for Defendant Trans Union,
LLC*